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KALIDEOSCAPE, INC. 440 POTRERO AVE. SUNNYVALE, CA 94085-4117			EXAMINER SWEENEY, PATRICK E	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/564,811

Applicant(s)

KESTELOOT ET AL.

Examiner

PATRICK E. SWEENEY

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 20, 37-44, 51-56, 62, 64-70, 83, 91-98, 105-111, 125, 126 and 134 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 20, 37-44, 51-56, 62, 64-70, 83, 91-98, 105-111, 125-126, and 134 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Action is in response to the Amended filing of December 17, 2008. Claims 1-7, 20, 37-44, 51-56, 62, 64-70, 83, 91-98, 105-111, 125-126, and 134 are currently pending and have been considered below.
2. As to Applicant's Arguments/Remarks filed on December 17, 2008, please see the Examiner's response in "**Response to Arguments**" following this Office Action. The Applicant's arguments have been fully considered but they are not considered persuasive. Accordingly, this Action is made Final.

35 USC § 101

3. In light of the Applicant's arguments the Examiner respectfully withdraws the previous 35 USC § 101 rejection made to claims 64-70, 83, 91-98, 105-11, and 125-126.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 64 is rejected under 35 U.S.C. 112, first paragraph, because the specification does not reasonably provide enablement for adjusting an aspect ratio of a display screen. The method in this claim consists of a single step: "means for adjusting an aspect ratio of a display screen in response to a remote database, the database

including information associating aspect ratio information with media streams", and thus is interpreted as a single means/single step claim under MPEP 2164.08(a).

"A single means claim, i.e., where a means recitation does not appear in combination with another recited element of means, is subject to an undue breadth rejection under 35 U.S.C. 112, first paragraph. In re Hyatt, 708 F.2d 712, 714-715, 218 USPQ 195, 197 (Fed. Cir. 1983) (A single means claim which covered every conceivable means for achieving the stated purpose was held nonenabling for the scope of the claim because the specification disclosed at most only those means known to the inventor.). When claims depend on a recited property, a fact situation comparable to Hyatt is possible, where the claim covers every conceivable structure (means) for achieving the stated property (result) while the specification discloses at most only those known to the inventor."

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-2, 5-7, 20, 37-41, 51-54, 64-65, 68-70, 83, 91-95, 105-110, 125-126, and 134 rejected under 35 U.S.C. 102(e) as being anticipated by Arora (US 2004/00114049).

Independent Claims 1, 6, 37, 64, 69, 91, and 125

Claims 1 and 64: Arora discloses a method and apparatus, including steps of and means for adjusting an aspect ratio of a display screen in response to a remote database, the database including information associating aspect ratio information with media streams (See Arora page 2, paragraph [0017] where it is disclosed that the content to be displayed and the aspect ratio that the display screen should display it in, can be obtained from a database, a program guide, where metadata is stored associating aspect ratios with the media streams) .

Claims 6 and 69: Arora discloses a method and apparatus, including steps of and means for

- presenting a media stream having a first aspect ratio R1 using a display screen having a second aspect ratio R2 (See Arora page 2, paragraph [0014] where it is disclosed that the display device having one aspect ratio may receive input media streams of a different aspect ratio);
- receiving information from a source external to the media stream, that information relating to R1 (See Arora page 2, paragraph [0017] where it is disclosed that the media stream may be obtained from a program guide, wherein

the program guide specifies the media stream aspect ratio and provides it with the media stream); and

- adjusting R2 in response to that information (See Arora page 2, paragraph [0014] where it is disclosed that the aspect ratio of the display device is manipulated to properly display the aspect ratio of the input media stream).

Claim 37: Arora discloses a method, including steps of

- adjusting the active area of a display in response to a media stream and a remote first database (See Arora page 2, paragraph [0017] where it is disclosed that a media stream and information about the media stream can be obtained from a program guide application. Also see Arora page 2, paragraph [0014] where the aspect ratio of an active area of a display is changed to accommodate an input stream, based both on the media stream and information about the media stream)
- said first database including information associating said media stream with aspect ratio information (See Arora page 2, paragraph [0017] where it is disclosed that the program guide can store aspect ratio information for each of the media streams),
- wherein said adjusting comprises manipulating a masking element (See Arora page 2, paragraph [0014] where it is disclosed that the steps of adjusting the active display area may use black bars to mask portions of the display, achieving the correct aspect ratio for the input media stream).

Claim 91: Arora discloses an apparatus including means for

- adjusting the active area of a display in response to a remote first database (See Arora page 2, paragraph [0017] where it is disclosed that a media stream and information about the media stream can be obtained from a program guide application. Also see Arora page 2, paragraph [0014] where the aspect ratio of an active area of a display is changed to accommodate an input stream, based both on the media stream and information about the media stream),
- said first database including information associating media streams with some combination of aspect ratio information, horizontal size information, vertical size information, resolution, anamorphic compression, and letterboxing (See Arora page 2, paragraph [0017] where it is disclosed that the program guide can store aspect ratio information for each of the media streams).

Claim 125: Arora discloses an apparatus including means for

- generating a request, said request indicating a media stream available from a first server (See Arora page 3, paragraph [0022] where a program guide is accessed to determine information about the video currently being processed. Also see Arora paragraph [0032] where it is disclosed that the media stream may be available from a local server store comprised in the video system (See Arora Figure 4));

- means for transmitting said request from said first server to a second server (See Arora page 5, paragraph [0037] where it is disclosed that the systems, including the display device and the program guide, of Arora can be realized on computers. Also see Arora page 2, paragraph [0036] where it is disclosed that the video system of Arora can send a request for media information to the program guide via the internet); and
- means for identifying at least one media stream and at least one set of metadata associated with said request, said metadata including at least one set of aspect ratio information (See Arora page 2, paragraph [0017] where it is disclosed that a request to a program guide can be for aspect ratio information for a specified media stream).

Dependent claims 2, 5, 7, 20, 38-42, 51-54, 65, 68, 70, 83, 92-96, 105-110, 126, and 134

Claims 2, 40, 65 and 94: Arora discloses a method as in claims 1 and 37, and apparatus as in claim 65 and 91, wherein said aspect ratio is further adjusted in order to accommodate an on-screen display (See Arora page 2, paragraph [0015] where, in one embodiment the aspect ratio of the media stream can be stripped of extraneous content, such as letterboxing, to show accommodate a desktop display).

Claims 5 and 68: Arora discloses a method and apparatus as in claims 1 and 64, respectively, wherein the steps of adjusting include automatically controlling one or more masks (See Arora page 2, paragraph [0014] where it is disclosed that some aspect ratios can be displayed by using masks to allow the picture to conform to the display area. Also see Arora page 3, paragraph [0019] where it is disclosed that the aspect ratio displayed can be automatically adjusted in response to the input media stream).

Claims 7 and 70: Arora discloses a method and apparatus as in claims 6 and 69, respectively, wherein the steps of adjusting R2 include automatically moving masking (See Arora page 2, paragraph [0014] where it is disclosed that black bars may be used to crop the display area such that the area not covered by the black bars accommodates the input media stream aspect ratio).

Claims 20 and 83: Arora discloses a method and apparatus as in claims 1 and 64, respectively, wherein said information comprises a specific aspect ratio associated with a specific media stream (See Arora page 2, paragraph [0017] where it is disclosed that the information stored in the program guide can contain aspect ratio information for each media stream).

Claims 38 and 92: Arora discloses a method and apparatus as in claims 37 and 91, respectively, wherein said active area of said display is a reflective portion of said

display visible to a human viewer (See Arora page 2, paragraph [0014] where it is disclosed that the methods may be used with an analog television streams. One having ordinary skill in the art would have understood that televisions, such as cathode ray tube (CRT) and liquid crystal display (LCD) televisions, typically have reflective displays).

Claims 39 and 93: Arora discloses a method and apparatus as in claims 37 and 91, respectively, wherein said active area of said display is an illuminated portion of said display visible to a human viewer (See Arora page 2, paragraph [0014] where it is disclosed that the methods may be used with an analog television signal. On having ordinary skill in the art would have understood that televisions, such as CRT and LCD televisions, illuminate the active area of the display in order to display the media streams).

Claims 41 and 95: Arora discloses a method and apparatus as in claims 37 and 91, respectively, wherein said information in said first database indicates a portion of a video frame occupied by a desired picture, wherein an active area of the display is adjusted to present the desired picture and exclude a remainder of the video frame (See Arora page 2, paragraph [0014] where the input media stream may be provided with aspect ratio information that is different from the display aspect ratio. The display is then adjusted to add black bars, excluding some remainder of the display area, in order to display the input media stream in the correct aspect ratio).

Claims 42 and 96: Arora discloses a method and apparatus as in claims 37 and 91, respectively, wherein said information in said first database indicates a portion of a video frame occupied by a desired picture, whereby the active area of the display is adjusted by enlarging an image of said desired picture such that the active area contains the desired picture while excluding at least some portion of the video frame (See Arora page 2, paragraph [0014] where it is disclosed that masking is used to exclude portions of the video frame such that the correct aspect ratio is displayed. Arora discloses that when converting a 16:9 media stream to play on a 4:3 display device the masking only needs to be applied to the top and bottom of the display device. Regardless of any resolution difference between the media stream and the display device it is the aspect ratio that determines how the media stream is displayed on the display device. In other words, if the 16:9 content is produced at a lower resolution than the 4:3 display, the content will be “enlarged” to the point where the correct aspect ratio of 16:9 is displayed, and then masking will be applied to the top and bottom of the display).

Claims 51 and 105: Arora discloses a method and apparatus, including steps of and means for selecting a target location on a display for each of a first and a second element of a video stream in response to a remote first database (See Arora page 2, paragraph [0014] where it is disclosed that a media stream can be displayed to conform to an aspect ratio of the display. Also see Arora page 2, paragraph [0018] where it is disclosed that the media stream may include additional elements, such as close

captioning or subtitling.), said first database including information associating the first element of the media stream with some combination of aspect ratio, horizontal size, vertical size, resolution, anamorphic compression, and letterboxing (See Arora page 2, paragraph [0017] where it is disclosed that the media stream can be obtained from a program guide, where the program guide can associate aspect ratio information with the media stream).

Claims 52 and 106: Arora discloses a method and apparatus as in claims 51 and 105, respectively, including steps of adjusting an active area of said display in response to said target locations (See Arora page 2, paragraph [0014] where a display area may be adjusted to accommodate the aspect ratio of the media stream. Also see Arora page 2, paragraph [0018] where the user can specify if the placement and existence of captioning should affect the display adjustment).

Claims 53 and 107: Arora discloses a method and apparatus as in claims 52 and 106, respectively, wherein said active area is adjusted using some combination of masks and sidebars (See Arora page 2, paragraph [0014] where it is disclosed that some combination of black bars may be used to adjust the display to accommodate the aspect ratio of the media stream).

Claims 54 and 108: Arora discloses a method and apparatus as in claims 52 and 105, respectively, wherein said first element includes a motion picture (See Arora page 2,

paragraph [0014] where it is disclosed that the media stream can comprise video content) and said second element includes at least one of: a caption; a closed-caption; a subtitle; a translation; or a ticker feed (See Arora page 2, paragraph [0018] where it is disclosed that the media stream can comprise closed captioning or subtitling information).

Claim 109: Arora discloses the apparatus as in claim 91, wherein said means for adjusting are also responsive to at least a portion of the media stream being viewed (See Arora page 3, paragraph [0019] where it is disclosed that the display can be dynamically adjusted to accommodate changing aspect ratios in the media stream).

Claim 110: Arora discloses the apparatus as in claim 91, wherein said means for adjusting are also responsive to triggering of one or more watchpoints (See Arora page 3, paragraph [0019] where it is disclosed that the display can be adjusted in response to a change of aspect ratio in the media stream).

Claim 126: Arora discloses the apparatus as in claim 125, including

- means for generating a response in answer to said request, said response including at least one set of aspect ratio information (See Arora page 2, paragraph [0017] where it is disclosed that the program guide is queried and provides aspect ratio information for a given media stream);

- means for transmitting said response from said second server to said first server (See Arora page 2, paragraph [0017] where it is disclosed that the program guide can communicate with the requesting device over the internet);
- means for parsing said response, said parsing extracting said at least one set of aspect ratio information from said response (See Arora page 2, paragraph [0017] where it is disclosed that the information returned by the program guide specifying aspect ratio information can be processed by the aspect ratio detector to determine the aspect ratio as specified by the program guide);
- means for interpreting said aspect ratio information at a mask controller (See Arora page 2, paragraph [0014] where it is disclosed that masks, such as black bars, can be moved or added in response to the aspect ratio of the media stream in order to display the media stream with the appropriate aspect ratio on the display device); and
- means for moving a set of masks responsive to said interpreting (See Arora page 2, paragraph [0014] where it is disclosed that masks, such as black bars, can be moved and added in response to the aspect ratio determination).

Claim 134: Arora discloses a method as in claim 6, including steps of maximizing usage of the display screen in response to presence in the media stream of a picture having an aspect ratio R_3 , with R_3 not equal to R_1 (See Arora page 3, paragraph [0019] where it is disclosed that the active display can be dynamically adjusted to accommodate changing aspect ratios in the input. Therefore, if a new media stream

having an aspect ratio R3 is introduced, being different than the previously used aspect ratio of R1, the display will be automatically adjusted to accommodate the new aspect ratio).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 3-4, 43, 66-67, and 97 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arora (US 2004/0114049) as applied to claims 1, 37, 42, 64, 91 and 96 above, and in further view of Sie et al. (US 2004/0212731).

Claim 3: Arora discloses a method, including steps of adjusting an aspect ratio of a display screen in response to input from a viewer (See Arora page 3, paragraph [0019] where it is disclosed that the user can specify appropriate aspect ratios for incoming

media content, and that the media content is then displayed according to those preferences).

But Arora does not explicitly disclose sending the adjusted aspect ratio to a remote database.

However Sie discloses a method for manipulating video aspect ratios, and further discloses that a user could influence media stream metadata, such as media stream aspect ratio, to reflect their preferences (See Sie page 5, paragraph [0068]). Sie also discloses that this metadata for the media streams can be located remotely from the display device, and that remote manipulation of the metadata is possible. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Arora and Sie and to send the adjusted aspect ratio to a remote database. One would have been motivated to combine the teachings of Arora and Sie because they are both directed toward the management of media streams, and more specifically both disclosures address adjusting the aspect ratios of the media streams and display devices. Sie also discloses additional methods for user interaction with the metadata of the media streams.

Claims 4 and 67: Arora discloses a method and apparatus as in claims 1 and 64, respectively, wherein said information includes a specified aspect ratio associated with a particular media stream (See Arora page 2, paragraph [0017] where it is disclosed that a program guide may comprise information relating a specified aspect ratio associated with a particular media stream).

But Arora does not explicitly disclose an adjustment from a known aspect ratio to said specified aspect ratio.

However Sie discloses a method for manipulating video aspect ratios, and further discloses that media metadata may comprise aspect ratio conversion data, to indicate how to convert from one aspect ratio to another (See Sie page 3, paragraph [0043]). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Arora and Sie and for the metadata information to comprise an adjustment from a known aspect ratio to said specified aspect ratio. One would have been motivated to combine the teachings of Arora and Sie because they are both directed toward the management of media streams, and more specifically both disclosures address adjusting the aspect ratios of the media streams and display devices.

Claims 43 and 97: Arora discloses a method and apparatus as in claims 42 and 96, respectively, but does not explicitly disclose that said information in said first database indicates that at least one video frame is letterboxed. However Sie discloses a method for manipulating video aspect ratios, and further discloses that media stream metadata can comprise letterboxing information (See Sie page 5, paragraph [0068]). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Arora and Sie and for the metadata information to comprise information that at least one video frame is letterboxed. One would have been motivated to combine the teachings of Arora and Sie because they are both

directed toward the management of media streams, and more specifically both disclosures address adjusting the aspect ratios of the media streams and display devices.

Claim 66: Arora discloses the apparatus as in claim 64, including means for adjusting the aspect ratio in response to an input from a viewer (See Arora page 3, paragraph [0019] where it is disclosed that the user can specify appropriate aspect ratios for incoming media content, and that the media content is then displayed according to those preferences).

But Arora does not explicitly disclose sending the adjusted aspect ratio to a remote database.

However Sie discloses a method for manipulating video aspect ratios, and further discloses that a user could influence media stream metadata, such as media stream aspect ratio, to reflect their preferences (See Sie page 5, paragraph [0068]). Sie also discloses that this metadata for the media streams can be located remotely from the display device, and that remote manipulation of the metadata is possible. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Arora and Sie and to send the adjusted aspect ratio to a remote database. One would have been motivated to combine the teachings of Arora and Sie because they are both directed toward the management of media streams, and more specifically both disclosures address adjusting the aspect ratios of

the media streams and display devices. Sie also discloses additional methods for user interaction with the metadata of the media streams.

10. Claims 44 and 98 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arora (US 2004/0114049) as applied to claims 37 and 91 above, and further in view of AbiEzzi et al. (US 2005/0132405).

Claims 44 and 98: Arora discloses a method and apparatus as in claims 37 and 91, respectively, but does not explicitly disclose identifying a particular media stream with reference to a hash associated with the media stream. However AbiEzzi discloses a media server that uses a hash of a media stream to uniquely look up information about that media stream (See AbiEzzi page 3, paragraph [0022]). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Arora and AbiEzzi and to identify a particular media stream with reference to a hash associated with the media stream. One would have been motivated to identify a particular media stream with reference to a hash associated with the media stream in order to uniquely look up information for that media stream.

11. Claims 62 and 111 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arora (US 2004/0114049) as applied to claims 1 and 64 above, and further in view of Marflak et al. (US 6,369,851).

Claims 62 and 111: Arora discloses a method and apparatus as in claims 1 and 64, but does not explicitly disclose that said steps of adjusting include displaying a color that minimizes burn-in in an inactive area of said display. However Marflak discloses that burn in due to letterboxing can be minimized by though the use of an edge modification signal to reduce the brightness levels at the top and bottom of the image, effectively changing the color of the letterboxing (See Marflak column 2, lines 56-65). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Arora and Marflak and that the steps of adjusting could include displaying a color that minimizes burn-in in an inactive area of said display. One would have been motivated to combine the teachings of Arora and Marflak because they are both directed toward the playback of media streams, specifically media streams in which there may be letterboxing. Furthermore Marflak's method reduces the possibility of burn-in in Arora's methods.

Response to Arguments

12. Applicant's arguments filed December 17, 2008 have been fully considered but they are not persuasive.

On pages 30-32 of the Applicant's Remarks the Applicant argues the cited references do not teach adjusting the aspect ratio of a display screen. The Applicant argues that Arora is directed toward modifying a video stream, and therefore is not directed to modifying the display screen. The Applicant further notes that an example of

such a modification involved moving physical masks or sidebar elements to adjust the proportions of a screen.

The Examiner respectfully disagrees. The Examiner respectfully submits that Arora discloses that the video may be displayed on a multimedia device in a window of arbitrary size (See Arora paragraph [0013]). In other words the dynamically resizable window would be understood to be a "display screen". The specification of the instant application defines a "display screen" as : "A display device 143 includes surface disposed to display an image. Generally the display screen is flat, smooth, and rectangular; **however, there is no requirement that any of these properties exist and the only required property of the display screen 143 is that it has some light reflective property**". As Arora's multimedia device is realized on a standard television or monitor (See Arora paragraphs [0010]-[0013]) the examiner respectfully maintains that such a multimedia window would be comprised of at least a screen with a light reflective property. (Furthermore, the Examiner respectfully notes that the Applicant's example of adjusting an aspect ratio of a display screen does not change the screen's aspect ratio but only covers up portions of the screen. Therefore the Applicant's example is likewise not directed to modifying the display screen, and would appear to be analogous to changing a display screen's aspect ratio through the removal or addition of black bars that are conventional in the art)

On page 32 of the Applicant's Remarks, the Applicant argues that Arora fails to teach or suggest "a method including selecting a target location on a display" as

claimed. The Applicant argues Arora fails to disclose the claimed limitation for the same reason as discussed above, namely the Applicant's assertion that Arora is directed toward modifying a video stream as opposed to a display screen.

The Examiner respectfully maintains that the cited portions of Arora (paragraphs [0014]-[0015]) disclose determining based on the aspect ratio of the video and the dimensions of the television where to place the video on the television and whether to control the television to display masking elements and other additional elements. The Examiner respectfully maintains that, as Arora discloses selecting different portions of the television to display the video stream and additional elements, one having ordinary skill in the art would understand that disclosure teaches "a method including selecting a target location on a display". The Applicant's argument that Arora is modifying a display screen as opposed to a video stream is irrelevant as the selection of a target location on a display does not require the modification of a display.

On page 33 of the Applicant's Remarks, the Applicant argues that Arora fails to teach or suggest "means for generating a request indicating a media stream available from a first server", as claimed. The Applicant further argues that Arora fails to disclose this limitation for the reasons noted and addressed above, as well as for the reason that "Arora does not teach or suggest requesting media streams available from a server, as claimed".

The Examiner respectfully disagrees that Arora does not teach the claimed limitation, and also respectfully submits that the claim language has a broader meaning

than the Applicant's argument. Specifically the Applicant argues that Arora fails to disclose "requesting media streams from a server". However the claim language recites "generating a request **indicating** a media stream available from a first server". The Examiner respectfully submits that the claim limitation is not limited to requesting a media stream from a server, but is broad enough to encompass any request that indicates the media stream.

Furthermore the Examiner respectfully submits that Arora discloses that an input video stream may be provided by a local server. More specifically the video system of Arora comprises a local storage medium where the video may be provided from (See Arora figure 4 and paragraph [0032]). Therefore the Examiner respectfully submits that one having ordinary skill in the art would understand that the media stream is available from a "first server".

On pages 34-35 of the Applicant's Remarks, the Applicant argues that the teachings of Sie do not cure the deficiencies of Arora discussed above. The Examiner respectfully believes that the arguments discussed have been successfully traversed, and therefore the argument is moot.

In view of the Examiner's arguments above, the Examiner respectfully maintains the rejections made to the claims.

Conclusion

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Yang et al. (US 2006/0125955) discloses a format conversion method.
- b. Kettle (US 2005/0166249) discloses a method to fit a video feed to a display device.
- c. Lundblad et al. (US 2005/0066359) discloses a letterbox to anamorphic conversion method.
- d. Masaki et al. (US 7,173,666) discloses a method for displaying non-standard aspect ratios on a standard aspect ratio monitor.

- e. Cookson et al. (US 6,771,888) discloses a method for allowing play of a video program in multiple aspect ratios.
- f. Worrell (US 6,690,425) discloses an aspect ratio control arrangement in a video display.
- g. Lamkin et al. (US 2006/0159109) discloses a method for network management of content.
- h. LU et al. (US 2008/0040807) discloses a method for fingerprinting and identifying digital versatile discs.
- i. Watson et al. (US 2005/0125405) discloses distinct display of differentiated rights in property.
- j. Lamkin et al. (US 7,178,106) discloses a method for the presentation of media content from multiple media sources.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PATRICK E. SWEENEY whose telephone number is (571)270-1687. The examiner can normally be reached on Mon. - Fri. (Alternate Fridays Off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571)272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Patrick E Sweeney/

Examiner, Art Unit 2162

/John Breene/

Supervisory Patent Examiner, Art Unit 2162